

Serial No. 10/790,032

Attorney Docket No. 11-230

REMARKS

Claims 3 – 7 and 9 – 12 are pending. Claims 1, 2, 8 and 13 – 16 have been canceled. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

On page 3 of the office action, dependent claims 3 – 7 and 9 – 12 were objected to, but indicated as being allowable if rewritten in independent form. Claim 3 has been rewritten in independent form to include claims 1 and 2, and claim 9 has been re-written in independent form to include claim 1. It is respectfully submitted that claims 3 and 9 as rewritten are allowable. Claims 1 and 2 were canceled. In view of the above, the applicants submit that the claims are patentable.

The applicants have rewritten the claims in independent form since the office action indicated that claims 3 – 7 and 9 – 12 would be allowable if so re-written. However, the applicants do not concede that other features in the claims are found in the prior art.

The applicants wish to clarify for the record, if necessary, that the claims have been amended to expedite prosecution. Any narrowing amendment to the claims in the present Amendment is not to be construed as a surrender of any subject matter between the original claims and the present claims; rather this is merely an attempt at providing one or more definitions of what the applicants believe to be suitable patent protection. Therefore, no estoppel should be presumed, and the applicants' claims are intended to include a scope of protection under the Doctrine of Equivalents.

For all the reasons advanced above, the applicants respectfully submit that the claims as amended are allowable.

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Claims 1, 2 and 14 – 16 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent publication No. 2002/0087235, Aga et al. Claims 1, 2, and 14 – 16 have been canceled. Therefore, it is respectfully submitted that the rejection is moot.

Claims 8 and 13 were rejected under 35 USC 103(a) as being unpatentable over Aga et al. in view of U.S. patent No. 6,618,655, Tobaru et al. Claims 8 and 13 have been canceled. It is respectfully submitted that the rejection is moot.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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